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8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN FRANCISCO DIVISION**

11 XIMPLEWARE CORP., a California
12 Corporation,

13 Plaintiff,

14 v.

15 VERSATA SOFTWARE, INC., F/K/A
16 TRILOGY SOFTWARE, INC., a Delaware
17 corporation; TRILOGY DEVELOPMENT
18 GROUP, INC., a California corporation;
AMERIPRISE FINANCIAL, INC., a
Delaware corporation; and AMERIPRISE
FINANCIAL SERVICES, INC., a Delaware
corporation,

19 Defendants.
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Case No. 13-cv-05160 NC

**ORDER RE: CONSENT TO
JURISDICTION AND RESETTING
HEARING ON XIMPLEWARE
CORP.'S EX PARTE
APPLICATION FOR TEMPORARY
RESTRAINING ORDER, FOR
ORDER TO SHOW CAUSE RE:
PRELIMINARY INJUNCTION,
AND FOR EXPEDITED
DISCOVERY**

Re: Dkt. No. 12

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22 The hearing on XimpleWare's ex parte application for temporary restraining order,
23 for order to show cause re: preliminary injunction, and for expedited discovery, Dkt. No.
24 12, is hereby reset from November 26 to November 27, 2013 at 11:00 a.m. in Courtroom 2,
25 5th Floor, 280 So. First Street, San Jose Courthouse.

26 To date, only XimpleWare has filed a consent to the undersigned Magistrate Judge's
27 jurisdiction. The Court orders defendants to sign and file one of the enclosed forms no later
28 than November 26, 2013 at 4:00 p.m., indicating whether they consent to the jurisdiction of


Case No. 13-cv-05160 NC
ORDER RE: CONSENT AND
RESETTING HEARING

1 the Magistrate Judge in this matter or request reassignment to a District Court Judge.

2 The Court's tentative ruling on the motion to expedite discovery is to deny the motion
3 without prejudice for failure to meet and confer, see Civ. L.R. 37-1(a).

4 IT IS SO ORDERED.

5 Date: November 25, 2013


Nathanael M. Cousins
United States Magistrate Judge